

**REMARKS**

The present Non-Final Office Action dated March 06, 2006 has rejected all of the previously pending claims (1-19) as anticipated by one reference, US Published Patent Application Num. 2004/0255122 A1, Ingberman et al. (hereinafter "Ingberman").

Claims 1, 16, 17, and 19 have been amended to further clarify the subject matter of the invention. Claim 18 has been canceled. No new matter has been added by way of this amendment. For at least the reasons discussed below, Claims 1-17, and 19 are now patentable over the prior art of record.

### U.S.C. 112 Rejections

The Office Action rejected Claims 1, 16-19 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. In particular, the Office Action submits that the limitation of the independent Claims 1, 16-19, “determining an adaptive cut-off radius for a community based in part on a rate of growth for the community,” is not described in the Specification in such a way as to reasonably enable one skilled in the art to make or use the invention. The Office Action requests the Applicants clearly point out “how” to enable the limitation. In response, independent Claims 1, 16, 17 and 19 have been amended to further clarify the invention.

Amended Claim 1 now teaches determining an adaptive cut-off radius for a community based in part on a rate of growth for membership in the community that is separated by a few or less degrees. Clearly, these novel elements are taught in the Specification. For example, see pages 8-9 that describe first degree and second degree addresses as being included in the community. Also, pages 10-12 describe mechanisms for building a community where “growth” refers to the total number of friends (nodes) with relatively few degrees of separation, (“[m]ore and more emails will be coming from the first and second degrees”), and adaptively reducing the cut off radius as the mailbox matures to at least improve efficiency.

[illegible]

Therefore, for at least the above reasons, amended Claim 1 is enabled by the Specification, and thus Claim 1 is now in condition for allowance. Additionally, amended Claims 16, 17, and 19 recite similar, albeit different limitations as amended Claim 1, and therefore should be allowed at least for substantially similar reasons.

#### U.S.C. 101 Rejections

The Office Action rejected Claims 18-19 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In response, Claim 18 has been cancelled. Also, Claim 19 has been amended to read, in part: “A computer processor readable storage media that includes executable data and program code that are executable by a computer processor for performing actions for filtering messages for a node on a network, comprising...” As amended, Claim 19 now reads in a substantially similar way in regard to the Office Action’s suggestions. Therefore, for at least this reason, amended Claim 19 is directed to statutory subject matter and in condition for allowance.

#### U.S.C. 102 Rejections

The Office Action rejected Claims 1-19 under 35 U.S.C. 102 (e) as being anticipated by the Ingerman reference. Furthermore, the Office Action found that each element of the claimed invention was either taught by the Ingerman reference or inherent.

As amended, Claim 1 teaches determining an adaptive cut-off radius for a community based in part on a rate of growth for membership in the community that is separated by a few or less degrees. A benefit of this novel adaptive cut-off radius is to improve efficiency for the user as the community of nodes matures.

However, nowhere in the Ingerman reference is there any discussion or suggestion that focusing on the rate of growth for the root membership (those nodes separated by a small number of degrees) is the basis for establishing a cut off radius for other members in a community.

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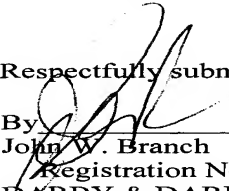
reasons as amended independent Claim 1. Furthermore, dependent Claims 2-15, are also novel and unobvious for at least substantially the same reasons as amended independent Claim 1, upon which they depend.

**CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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